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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/602,260

Applicant: Eric Berg, et al.

Filed: June 23, 2003

TC/A.U. 3623

Examiner: Not yet assigned

Docket No.: 5306.P091 Customer No.: 08791 Confirmation No.: 1943

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INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure. Statement is not to be construed as a representation that a search has been made except that the information contained herein was first cited in the Search Report for the PCT International Application Number PCT/US03/19955, mailed January 20, 2004, (Attorney Docket Number 5306.P091PCT) by a foreign patent office in the counter part foreign application, as disclosed hereto and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

<u>X</u>	37 C.F.R. §1.97(b).
	37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is <u>one</u> of the following:
	A statement pursuant to 37 C.F.R. §1.97(e) or
	A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).
	37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Dated: 2/9, 2004

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Substitute	for Form 1449	/PTO		·	Complete i	f Known
INFORMATION DISCLOSURE			F	Application Number	10/602,260	
(F)					Filing Date	June 23, 2003
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FER O					Art Unit	3623
100					Examiner Name	Not yet assigned
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			U.S. PATEN	T DOCUMENTS		
Examiner Initials*	Cite No.1	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
•		Number-Kind Code ² (If known)				Figures Appear
•		UŞ-	6,647,394	11/11/2003	Hertzberg, et al.	
		US-	6,574,635	6/3/2003	Stauber, et al.	
	-	US-	6,418,450	7/9/2002	Daudenarde	
		US-	6,415,027	7/2/2002	Malik	
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Examiner	Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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				Filing Date	June 23, 2003		
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		Art Unit	3623				
				Examiner Name	Not yet assigned		
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			NC	N PATENT LITE	RATURE DOCUMENTS		
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